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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

TAMARA LYNN TEAGUE,

Defendant and Appellant.

D057884

(Super. Ct. No. SCE300905)

APPEAL from a judgment of the Superior Court of San Diego County, Charles W. Ervin, Judge. Affirmed.

Tamara Lynn Teague entered a negotiated guilty plea to petty theft with a prior (Pen. Code, § 484) — admitting she was previously convicted of violating Vehicle Code section 10851, subdivision (a) and was imprisoned therefore (Pen. Code, § 666), and that she was in violation of probation in three misdemeanor cases — in return for a stipulated disposition of formal probation with 365 days in local custody. In exchange, the People dismissed the balance of the complaint as well as a pending traffic matter. In accordance

with the plea agreement, at sentencing the trial court suspended imposition of sentence for three years, ordered Teague to serve 365 days in jail, granted her formal probation and awarded 37 days' credit. The court sentenced Teague to 322 days in custody on her misdemeanor probation violations, with the sentence to run concurrently to that ordered in the current case. Teague was ordered to pay a fine of \$800; a fee of \$38 pursuant to Penal Code section 1202.5; a court security fee of \$30; and a \$30 criminal assessment fee; as well as \$200 in fines pursuant to Penal Code sections 1202.4, subdivision (b) and 1202.44, which was suspended unless probation is revoked.

Teague did not obtain a certificate of probable cause.

FACTS

On May 10, 2010, Teague was observed by a Wal-Mart loss prevention officer to make quick selections in the cosmetics department, and to walk to the pet department where she concealed the merchandise inside a cosmetic bag and placed the bag in her purse. Teague exited the store without paying for the merchandise. She was detained by the loss prevention officer and subsequently arrested by La Mesa police officers. As the factual basis for her plea, Teague admitted she "took the personal property of another without permission."

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as possible but

not arguable issues, whether: (1) Teague's punishment for felony theft conviction is unauthorized under Penal Code section 666, which requires at least three prior auto theft convictions, when Teague admitted to one prior auto theft conviction; and (2) the above issue can be raised without a certificate of probable cause having been granted by the trial court.

We granted Teague permission to file a brief on her own behalf. She has not responded.

A review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436, and *Anders v. California, supra*, 386 U.S. 738, including the possible issues referred to by appellate counsel, has disclosed no reasonably arguable appellate issues.

DISPOSTION

The judgment is affirmed.

IRION, J.

WE CONCUR:

NARES, Acting P. J.

McINTYRE, J.